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February 11, 2025 11:02 AM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: ns SCANNED BY: JW / 2-14

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT
SIXTH CIRCUIT**

PROVIDED TO
HAMILTON CI

FEB 06 2025

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FOR MAILING

MARIO A. MANBORDE, et al
Plaintiff,

Case No.:

v.

Class Action Case No.: 19-11044


GM MOTORS, LLC,
Defendant.

**CIVIL COMPLAINT PURSUANT TO FED.R.CIV.P., RULES
GOVERNING THE HONORABLE COURT, PURSUANT TO FLORIDA
DECEPTIVE & UNFAIR TRADE PRACTICE ACT (FDUTPA)**

COMES NOW the Plaintiff, files this civil complaint in good faith.

Case: 2:25-cv-10522
Assigned To : Parker, Linda V.
Referral Judge: Stafford, Elizabeth A.
Assign. Date : 2/24/2025
Description: CMP MANBORDE V. GM MOTORS (MC)

Respectfully submitted,



Mario A. Manborde, *pro se*
DC # Q70671

PROCEDURAL HISTORY

- 1) Dennis Speerly, et al, Plaintiffs, v. General Motors, LLC, Defendant. March 20, 2023
- 2) General Motors, LLC appealed. October 23, 2023
- 3) Francis, et al, v. GM Motors, LLC. Case #: 19-11044. Date January 30, 2020.
- 4) Attorney Theodore J. Leopold, Esquire, Lead Class Action Counsel, decided by U.S. District Judge March 03, 2023.
- 5) Opinion Order Granted. Plaintiff, Motion to Certify Class Action March 20, 2023

CAUSE OF ACTION

DEFENDANT MISLED PLAINTIFF BY INTRODUCING DECEPTIVE TRADE PRACTICES

1.

The Plaintiff in this class action had purchased a 2016 Chevrolet Colorado from Chevrolet of Biscayne on Biscayne Boulevard in Miami, Florida on November 07, 2015. The odometer was 14 miles. The purchase was financed by GM Financial. The Plaintiff had traded his Ford F150 4x4 truck for the GM Motors new model Chevrolet Colorado.

See Appendix A. DAVID Vehicle Details.

2.

The following year, as early as January 16, 2016, the Plaintiff began experiencing a slight delay in the shifting of the transmission. The Plaintiff reported the issue to the assistant manager at the Chevrolet dealership in Pembroke Pines, Florida, Chevrolet of Pembroke Pines and also contacted GM Customer Support. The Plaintiff was informed that is how the transmission shifting is and he considered it to be normal; however, into the year 2017 the transmission “shudder” issue had become more evident and the Plaintiff also realized that the rear axle was making a humming sound while driving over 10 miles per hour.

3.

Desiring to resolve this issue with his 2016 Chevrolet Colorado, the Plaintiff had moved from Florida to Kansas on July 02, 2017 and on July 15, 2017 thereabout the Plaintiff took his white truck to a Chevrolet GM dealership in Kansas City to do a maintenance evaluation and service of the rear axle.

4.

The Plaintiff was given a loaner, a 2017 Chevrolet Traverse, to drive until the Chevrolet dealership in Kansas City resolved the issued with his truck.

5.

The Plaintiff was contacted by the Chevrolet dealership and questioned if he had met in any accident with his truck. The Chevrolet dealership had possibly realized that

the rear axle had been replaced. The Plaintiff reported this to GM Customer Support and the Chevrolet dealership agreed afterwards to replace/repair the issues with the Chevrolet Colorado for free.

6.

A month later in August, 2017 the Plaintiff had went back to the Chevrolet dealership in Kansas City and a customer service/maintenance personnel spoke with him regarding the repairs. Afterwards the Plaintiff drove his 2016 Chevrolet Colorado back home and in maybe a week later the shudder issue had resurfaced and the axle began making a small whistling sound.

7.

The Plaintiff had not been able to report the issues to the GM dealership because he was arrested in Kansas on September 04, 2017. After his arrest the Plaintiff's white 2016 Chevrolet Colorado was repossessed by GM Motors.

8.

The Plaintiff believes that the GM dealership Biscayne Chevrolet in Miami, Florida was deceptive for selling the Plaintiff the 2016 white Chevrolet Colorado, VIN # 1GCH5BEA6G1118469, knowing that the rear axle was replaced and sold the truck as "new" with a factory warranty and that the shudder issue with the new model truck was due to the transmission. Florida Statute 501.201.

RELIEF SOUGHT (CONCLUSION)

The Plaintiff, Mario A. Manborde, prays for relief in this class action so guaranteed by the U.S. Constitution.

Dated: February _____, 2025

Respectfully submitted,



Mario A. Manborde, *pro se*
DC # Q70671

OATH

I, Mario A. Manborde, declare under the penalty of perjury that this Complaint was filed in good faith having merits. The Plaintiff understands the English language and has read the Complaint and that it is true and correct. The Complaint does not duplicate any other petitions or appeals disposed of by the honorable court. If the Complaint is found to be frivolous, the Plaintiff may be prosecuted for perjury.

Sworn under oath,



Mario A. Manborde, *pro se*
DC # Q70671
Hamilton CI – Main Unit
10650 S.W. 46th Street
Jasper, FL 32052

CERTIFICATE OF SERVICE

I, Mario A. Manborde, declare under the penalty of perjury that this Complaint was hand-delivered to a mail-room representative of the Florida Dept. of Corrections, in the appropriate form for mailing via First Class U.S. Mail to the person(s) listed below on this _____ day of February, 2025.

United States District Court, Eastern District
Sixth Circuit
399 Federal Building
110 Michigan Street N.W.
Grand Rapids, MI 49503

Theodore J. Leopold, Attorney at Law
Cohen, Milstein, Sellers, & Toll, PLLC

11780 U.S. Hwy 1N
Suite N500 S

Palm Beach Gardens, FL 33408



Mario A. Manborde, DC # Q70671



**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**
OFFICE OF THE CLERK
www.miwd.uscourts.gov



399 Federal Bldg.
110 Michigan St., NW
Grand Rapids, MI 49503
(616) 456-2381

107 Federal Bldg.
410 W. Michigan Ave.
Kalamazoo, MI 49007
(269) 337-5706

113 Federal Bldg.
315 W. Allegan St.
Lansing, MI 48933
(517) 377-1559

202 W. Washington St.
P.O. Box 698
Marquette, MI 49855
(906) 226-2021

February 14, 2025

United States District Court for the Eastern District of Michigan

Re: Submission to Wrong Court

On February 11th, 2025, the Clerk's Office for the United States District Court for the Western District of Michigan received a Civil Complaint from Mario Manborde.

The envelope was addressed to the Eastern District, yet had the street address for the Gerald R. Ford Federal Building in Grand Rapids. The complaint is captioned for the Eastern District and contains an Eastern District case number (19-11044).

Accordingly, we are forwarding this complaint to the Eastern District of Michigan.

A copy of this letter will be sent to Mario Manborde DC# Q70671 at Hamilton Correctional Institution in Jasper, Florida.

Sincerely,

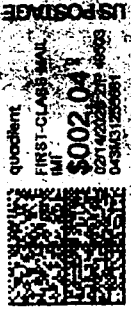
CLERK OF COURT

/s/ Jake

By: Deputy Clerk

Cc: Mario Manborde DC# Q70671

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
399 FEDERAL BUILDING
110 MICHIGAN ST. N.W.
GRAND RAPIDS, MICHIGAN 49503-2363
OFFICIAL BUSINESS



Clerk's Office
Theodore Levin U.S. Courthouse
231 W. Lafayette Blvd.
Detroit, MI 48226

U.S. MARSHAL



Mario A. Manborge dc# 0706
HAMILTON C.I. MAIN UNIT
10650 SW 46TH STREET
JASPER, FL 32052

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LEGAL MAIL

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110 Michigan Street, N.W
Grand Rapids, MI 49503

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